

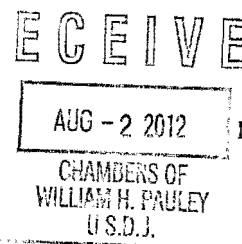
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August 2, 2012

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By Hand

The Honorable William H. Pauley III
 United States District Court
 for the Southern District of New York
 500 Pearl Street
 New York, New York 10007-1312

Re: Glatt v. Fox Searchlight Pictures, Inc., No. 11 Civ. 6784 (WHP)

Dear Judge Pauley,

We represent the Plaintiffs and a putative class of unpaid interns in the above-referenced matter. We write regarding two issues. First, the parties have resolved the first issue about which Plaintiffs sought the Court's assistance in their July 27, 2012 letter regarding the scheduling of John Maybee's deposition. Defendant has agreed to produce Mr. Maybee on one of the dates proposed by Plaintiffs. The parties have still been unable to resolve the second issue about which Plaintiffs wrote the Court – Defendant's email to putative class members about the lawsuit.

91 We also write pursuant to the Court's Individual Rules of Practice to respectfully request a pre-motion conference in anticipation of Plaintiffs' motion for leave to amend the complaint. A proposed First Amended Complaint is enclosed. Plaintiffs' proposed amendments are outlined below.

First, Plaintiffs will seek to broaden the scope of the case to include all interns who participated in Fox Entertainment Group's ("FEG's") internship program. Defendant Fox Searchlight Pictures ("Searchlight") is a business unit of FEG. Discovery produced to date shows that the same hiring, personnel, and company policies that applied to Searchlight interns applied to all interns who participated in FEG's internship program. The discovery supports expanding the case to a broader group of interns and the assertion of claims against FEG. The common policies and practices include that:

- FEG is in charge of recruiting interns for the business units that fall under FEG's umbrella, including Searchlight, Twentieth Century Fox, and others;
- FEG sets the number of interns that each unit can hire;

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- Until approximately July 2010, interns hired to work within FEG were not paid for the hours they worked;
- FEG developed policies that applied to interns, including guidelines that applied to supervisors of interns;
- FEG required unpaid interns to complete I-9 forms, sign confidentiality agreements, and deemed them to be “employees” covered by Worker’s Compensation laws;
- In or around July 2010, FEG changed its policy to require all interns to be paid approximately \$8/hour beginning in fall 2010.

Second, Plaintiffs will seek to streamline the complaint by separating the current class and collective into two – one for the interns who participated in the FEG internship program discussed above (“Corporate Interns”) and one for the interns who worked on the production of films that Searchlight co-produced (“Production Interns”).

Third, Plaintiffs will seek to add two named Plaintiffs, Eden Antalik and Kanene Gratts. Ms. Antalik is an opt-in Plaintiff who participated in the FEG internship program. Ms. Gratts worked on the production of 500 Days of Summer, a film that Searchlight co-produced and one of the five sample films on which the Court ordered the parties to focus discovery. In addition to serving as a named Plaintiff, Ms. Gratts would seek to bring classwide claims under California’s Unfair Competition law for unpaid minimum wages on behalf of Production Interns who worked in California.

Finally, if the Court grants Plaintiffs’ motion, they respectfully request that it extend the current September 7, 2012 deadline for the completion of discovery by two months. Plaintiffs were not able to seek the above amendments sooner because much of the discovery on which the amendments are based was only recently produced by Defendant. Plaintiffs are still combing through the tens of thousands of pages of ESI that Defendant has continued to produce on a rolling basis beginning early July. Although Plaintiffs do not anticipate that they will require much new discovery, some targeted discovery regarding the expanded FEG intern group may be necessary.

We thank the Court for its attention to these matters.

Respectfully submitted,



Rachel Bien

enclosure

cc: Elise Bloom, Esq. (by email)
Amy Melican, Esq. (by email)
Adam T. Klein, Esq.
Elizabeth Wagoner, Esq.

The parties are directed to appear for a conference on August 24, 2012 at 10am to discuss the discovery dispute and the proposed motion.

SO ORDERED:



WILLIAM H. PAULEY III U.S.D.J.

8/10/12